

American Recovery and Reinvestment Act Justice Assistance Grant Program

Recovery-Specific Information:

1. What is the American Recovery and Reinvestment Act?

The American Recovery and Reinvestment (Recovery) Act of 2009, Public Law 111-5, was signed into law by President Obama on February 17, 2009. It is an unprecedented effort to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing long neglected challenges so our country can thrive in the 21st century. The Act is an extraordinary response to a crisis unlike any since the Great Depression, and includes almost \$2 billion in critical resources for state and local law enforcement and other criminal justice activities through the Recovery Justice Assistance Grant (JAG) program.

Consistent with the strong emphasis on accountability and transparency of the Recovery Act, multiple streams of reporting requirements are included in these grants. Generally speaking, these requirements include: 1) Bureau of Justice Assistance (BJA) JAG Performance Measures; 2) Office of Management and Budget (OMB) reporting requirements; and 3) program specific requirements. In order to ensure compliance with these requirements and to meet the original intent of the Recovery Act objectives, respondents must consider staffing positions with this funding.

2. How much of the \$2 billion for JAG is coming to California?

California received \$225,354,622 – As the State Administering Agency, Cal EMA was awarded sixty percent (60%) of this amount (\$135,641,945) for statewide distribution. Forty percent (40%; or \$89,712,677) of the total state allocation is administered by BJA directly to local units of government.

3. How did Cal EMA determine which programs would be funded under Recovery JAG?

Cal EMA consulted with its stakeholders on current drug and crime trends in California. A spending plan was developed for approval by the Agency Secretary, and the California Council on Criminal Justice. The approved spending plan was then submitted to the Legislature. The Legislature made the final determination on which programs would be funded and the level of funding each program would receive.

4. Is my agency responsible for ensuring compliance with the Federal Funding Accountability and Transparency Act (FFATA) of 2006?

No. The Governor's Office has certified that California is a centralized reporting state for compliance with the Office of Management and Budget (OMB) reporting requirements. Therefore, all reporting data collected from Recovery JAG recipients by Cal EMA is reported to OMB through the California Recovery Task Force. The California Recovery Task Force is responsible for maintaining a single searchable website accessible by the public. The website can be reached at www.Recovery.ca.gov.

5. How is the Recovery JAG award different from other JAG awards I have received from Cal EMA?

Significant differences between the Recovery JAG awards and annual JAG funds include, but are not limited to: 1) an emphasis on job creation and job retention; 2) submission of particular Recovery certifications specified in the RFA/RFP; 3) time-specific quarterly progress reports; 4) specific Recovery Act performance measures; and 5) increased federal and state grant oversight.

Use of Funds:

6. What are the allowable uses for Recovery JAG funds?

Recovery JAG funds may be used to support state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, as well as research and evaluation activities that will improve or enhance law enforcement programs related to criminal justice. Some examples include: prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs (other than compensation).

In general, projects funded under the Recovery Act should be designed to further one or more of the general purposes of the Recovery Act, which are to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits; and to stabilize state and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.

7. For what uses can Recovery JAG funds be used?

Program Purpose Area 1 – Law Enforcement Programs has been designated as the only use for California's Recovery JAG funds. Please refer to the appropriate RFA/RFP for program-specific uses.

8. Are there any activities for which Recovery JAG funds cannot be used?

Yes. Recovery JAG funds may not be expended outside of the JAG purpose areas. Furthermore, within the purpose areas, the Recovery JAG funds may not be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. In addition, no Recovery JAG funds may be used directly or indirectly to provide for any of the following matters unless extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order: vehicles (excluding police cruisers); vessels (excluding police boats); aircraft (excluding police helicopters); luxury items; real estate; construction projects (other than penal or correctional institutions); and any similar matters.

9. Can I use Recovery JAG funds in place of state or local program funds?

No. Recipients must use federal funds (including Recovery JAG) to supplement existing State and local funds for program activities and must not replace (supplant) State or local funds that they have appropriated or allocated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations may result in a range of penalties; including suspension of current and future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.

Overtime:

10. Is there a cap on the amount of overtime pay for state and local law enforcement officers?

Although the Recovery JAG program includes no specific cap on overtime pay for law enforcement officers, federal regulations require that personnel compensation always be reasonable in light of the services rendered.

11. Is overtime an allowable Recovery JAG expense?

Yes. Overtime is allowed for law enforcement personnel/direct service providers. However, overtime expenses cannot be charged to the grant for executive, administrative and/or professional staff. Any overtime charged to the grant will be approved by Cal EMA on a case-by-case basis.

Jobs Data:

12. Can we budget for county staff anticipated/at risk of being laid off in future fiscal years? What supporting documentation is needed?

Yes. You can budget for those anticipated costs. However, you cannot incur the costs until the current funding source expires and you have the proper documentation (i.e.; budget comparisons and/or projections before and after the Recovery JAG award date, formal layoff recommendations and retractions, minutes of formal meetings where official budget decisions are made, timecards and payroll records, and employee activity reports). Recipients should consult with their individual personnel departments to determine what/how much documentation is considered sufficient for audit purposes.

DUNS and CCR Requirements:

13. What is a Data Universal Number System (DUNS) number?

A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity.

14. How do I obtain a Data Universal Number System (DUNS) number?

Ask the grant administrator, chief financial officer, or authorizing official of your organization to identify your DUNS number. If your organization does not know its DUNS number or needs to register for one, visit Dun & Bradstreet at <http://fedgov.dnb.com/webform/>. A DUNS number can also be obtained by calling 1-866-705-5711 or by applying online at <http://fedgov.dnb.com/webform/displayHomePage.do>. The federal government has adopted the use of DUNS numbers to track how federal grant money is allocated. DUNS numbers identify your organization. The time it takes to request and obtain a DUNS number is approximately one day.

DUNS Registration

The registration process for organizations includes: (1) Obtaining a Data Universal Numbering System (DUNS) number; and (2) Registering your organization with the Central Contractor Registration (CCR) database. Each recipient is required to obtain a DUNS number and register with the Central Contractor Registration (CCR) no later than the due date of the first quarterly report after the award is made.

A DUNS number is required for all agencies applying for Recovery JAG funds with Cal EMA: All applicants must include a DUNS number in their application. Applications without a DUNS number are incomplete.

15. How do I register my jurisdiction with the Central Contractor Registration (CCR)?

Ask your grant administrator, chief financial officer, or authorizing official of your organization if your organization is registered with the CCR. If your organization is not registered, you can register and then renew your registration once a year.

CCR Registration

Central Contractor Registration (CCR) is required for all agencies applying for Recovery JAG funds with Cal EMA: In addition to the DUNS number requirement, the BJA requires that all applicants (including subrecipients) for federal financial assistance maintain current registration in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about registration procedures can be accessed at www.ccr.gov.

16. My county already has several DUNS numbers. Which number should I use?

The applicant is required to use the DUNS number assigned to the implementing agency. For example, if the implementing agency is the Probation Department, then the Probation Department's DUNS number is provided on the Certification of Assurance of Compliance form.

Reporting Requirements:

17. Are there specific reporting requirements under the Recovery JAG Program?

Yes. Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, all funds under the Recovery JAG Program must be tracked, accounted for, and reported separately from all other funds (including State and Federal grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report the specific outcomes and benefits attributable to use of Recovery Act funds. In particular, Section 1512 (c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted through Cal EMA. The accounting systems of all recipients must ensure that funds from any award under this Recovery Act are not commingled with funds from any other source. Receipt of funds will be contingent on meeting the Recovery Act reporting requirements.

In addition, there are JAG programmatic measures required by the BJA, which have been customized dependent on the types of activities within each purpose area. Recipients will report on performance measures for only those activities funded by Recovery dollars. Recipients are not required to report on all programmatic performance measures; only those applicable to your grant. These programmatic measures will be collected quarterly in BJA's new online Performance Measurement Tool (PMT). Recipients will be given a user id and password from Cal EMA allowing them PMT access for programmatic reporting.

18. What type of auditable documentation is required to “support jobs created” and/or “jobs retained” number reported to Cal EMA?

Part I, Section F, of the RFA/RFP provides a list of recommended types of documentation to support your jobs data that was developed at the federal level. Although Cal EMA will be hosting training in early 2010 specifically addressing reporting requirements, recipients should consult with their individual personnel departments to determine what/how much documentation is considered sufficient for audit purposes to support jobs data.

19. Can you provide further clarification on how to report Government Performance and Results Act (GPRA) information?

This requirement is consistent with current Cal EMA policies and procedures that require all recipients to keep accurate records as source documentation to support information provided in progress reports. For further information, please refer to Cal EMA's Recipient Handbook, Section 10100, at: [http://www.oes.ca.gov/WebPage/oeswebsite.nsf/PDF/2009%20CalEMA%20Recipient%20Handbook/\\$file/2009-Recipient-Handbook.pdf](http://www.oes.ca.gov/WebPage/oeswebsite.nsf/PDF/2009%20CalEMA%20Recipient%20Handbook/$file/2009-Recipient-Handbook.pdf).

20. Can you explain the following statement? "Note: All recipients must attempt to meet the prescribed objectives and provide zero statistics on the quarterly progress reports for each of the related outcome measures, where applicable, until such time that all the objectives are met."

When filling out your quarterly progress reports, recipients are not allowed to leave blank data collection elements. If you have no statistics for a particular data element, you must put a -0- rather than leaving it blank or using N/A.

21 Which Certification of Assurance of Compliance form do I use?

For programs being funded with Recovery JAG funds, recipients must use the JAG Recovery Act form (Cal EMA 2-104j).

22. What is Cal EMA's federal grant award number?

Cal EMA's award number is 2009-SU-B9-0009. *However, this number is assigned to and used by Cal EMA only.* Any data collection documents provided to recipients will be pre-populated with the federal award number. Recipients are not responsible for supplying Cal EMA's federal award number.

23. What is the Catalog of Federal Domestic Assistance (CFDA) number for this grant?

The CFDA number for Recovery JAG is 16.803. However, any data collection documents provided to recipients will be pre-populated with the CFDA number. Recipients are not responsible for supplying the CFDA number.

24. Why are the due dates different for OMB and BJA quarterly data reporting?

OMB requires prime recipients (Cal EMA) to report quarterly data within 10 days of the end of each quarter.

In order for Cal EMA to gather the required OMB-specific data from the field and report through California's centralized reporting system, the following reporting periods and due dates were developed:

Quarterly Reporting Period – OMB Required Data	Date Report Due to Cal EMA
September 1 - November 30	December 15
December 1 - February 28	March 15
March 1 - May 31	June 15
June 1 - August 30	September 15

BJA requires prime recipients (Cal EMA) to report quarterly data within 30 days of the end of each quarter. Cal EMA will be delegating reporting responsibility to recipients, who will be issued a user ID and password allowing for direct reporting of JAG performance measures in BJA's PMT.

In order for Cal EMA to review and approve agency PMT reports, and submit a cumulative report to BJA, the following reporting periods and due dates were developed:

BJA Performance Measure Reporting Schedule		
Reporting Period	Type of Data Required	PMT Due Date
July 1 – September 30	Program Performance Measures and Narrative	October 15
October 1 – December 31	Program Performance Measures	January 15
January 1 – March 31	Program Performance Measures	April 15
April 1 – June 30	Program Performance Measures	July 15

Payments:

25. How do I receive my Recovery JAG award payments?

Recipients submit a Report of Expenditures and Request for Funds form (Cal EMA 2-201) to Cal EMA at 5630 Schriever Avenue, Mather, CA, 95655 for reimbursement of actual expenses incurred on a quarterly basis. Recipients cannot request funds for expenses that have not been paid when the Cal EMA 2-201 is submitted.

Program-Specific Fund Source Identification:

26. What fund source should I use for my Recovery JAG program on the Grant Award Facesheet and other Cal EMA documents?

The Funding Source acronym is "JAGR". This acronym was not added to the drop-down menus prior to releasing the RFA, therefore Recipients must manually enter the information on the Grant Award Facesheet, the 2-223 Modification form and the 2-201 Request for Reimbursement form.

27. Who should I contact if I have additional questions?

All questions must be directed to Cal EMA in writing. This will allow Cal EMA to provide all recipients with accurate and consistent responses. If needed, a Frequently Asked Questions document can be developed and made available on Cal EMA's website.

- Program-specific questions should be directed to the Program Specialist identified on the Request for Application.
- ARRA-specific questions should be directed to Sherril Scott, Federal Funds Program Manager, at sherril.scott@oes.ca.gov.